

MONTANA LEGISLATIVE HISTORY

Chapter 601 19 83

Bill H _____ S 106 Original bill & history C

H. Committee on Highways & Transportation

Hearing Date(s) Mar 01 ☒ C

_____ ☐ C

_____ ☐ C

_____ ☐ C

Date Out Mar 01 ☒ C

S. Committee on Highways & Transportation

Hearing Date(s) Jan 18 ☒ C

Jan 25 ☒ C

_____ ☐ C

_____ ☐ C

Jan 25 ☒ C

Did this bill originate in an interim committee? Yes No

Committee _____

Report _____

2ND READING: 03/03/83, BE CONCURRED IN AYES: 53; NAYS: 41
3RD READING: 03/04/83, BE NOT CONCURRED IN AYES: 48; NAYS: 48

RETURNED TO SENATE: 03/05/83

RETURNED TO HOUSE FOR FURTHER CONSIDERATION 3/7/83
3RD READING: 03/07/83, BE CONCURRED IN AYES: 57; NAYS: 41

RETURNED TO SENATE: 3/7/83

TRANSMITTED TO GOVERNOR: 03/14/83
SIGNED: 03/19/83, CHAPTER 143

SB 104 -- KEATING, GOODOVER, C. SMITH, ET AL. -- TO ESTABLISH A SELF-GOVERNING BOARD
FOR REGULATION AND LICENSURE OF EMPLOYMENT AGENCIES

INTRODUCED: 01/11/83
REFERRED TO COMMITTEE ON STATE ADMINISTRATION: 01/11/83
HEARING: 1/18/83
REPORT: 1/31/83, DO NOT PASS. REPORT ADOPTED.
BILL KILLED.

SB 105 -- KEATING, C. SMITH -- TO BASE THE FEE CHARGED BY AN EMPLOYMENT AGENCY UPON AN
APPLICANT'S PROJECTED INCOME

INTRODUCED: 01/11/83
REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY: 01/11/83
HEARING: 1/28/83
REPORT: 02/01/83, DO NOT PASS. REPORT ADOPTED.
BILL KILLED.

SB 106 -- BLAYLOCK -- TO INCREASE THE PENALTIES FOR OVERWEIGHT VEHICLES
BY REQUEST OF: THE DEPARTMENT OF HIGHWAYS

INTRODUCED: 01/11/83
REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION: 01/11/83
HEARING: 1/18/83
REPORT: 01/26/83, DO PASS, AS AMENDED
2ND READING: 01/28/83 AYES: 46; NAYS: 0
3RD READING: 01/31/83 AYES: 42; NAYS: 7

TRANSMITTED TO HOUSE: 1/31/83
REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION: 02/01/83
HEARING: 3/1/83
REPORT: 03/02/83, BE CONCURRED IN
REREFERRED TO COMMITTEE ON APPROPRIATIONS: 03/03/83
HEARING: 4/7/83
REPORT: 04/07/83, BE CONCURRED IN
2ND READING: 04/08/83, BE CONCURRED IN AYES: 89; NAYS: 7
3RD READING: 04/11/83, BE CONCURRED IN AYES: 70; NAYS: 10

RETURNED TO SENATE: 4/11/83

TRANSMITTED TO GOVERNOR: 04/15/83
SIGNED: 04/20/83, CHAPTER 601

SB 107 -- BLAYLOCK, SCHYE, MC BRIDE, ET AL. -- TO PROVIDE FOR BASIC LEVELS OF

MINUTES OF THE MEETING
HIGHWAYS AND TRANSPORTATION
MONTANA STATE SENATE

January 18, 1983

The meeting of the Highways and Transportation Committee was called to order by Chairman Mark Etchart on January 18, 1983 at 1:00 p.m. in Room 410, State Capitol.

ROLL CALL: Roll was called. Present: Senator Mark Etchart, Senator Hager, Senator Elliott, Senator Shaw, Senator Tveit, Senator D. Manning, Senator Stimatz, Senator Daniels.
Absent: Senator Graham.

SENATE BILL NO. 106: Hearing commenced on Senate Bill No. 106. Senator Blaylock, sponsor of the bill, told the committee this bill would increase the fines for overweight vehicles by 300%. This bill will increase the penalties for overweight vehicles, and provide that the imposition of the fines may not be suspended. It also revises the disposition of the fines and provides for jurisdiction of such laws in Justices' Courts.

He told the committee that during fiscal year 82, 6,725 citations were issued and \$297,570 collected in fines. Of that amount, \$206,179 was collected in overweight fines. I think this bill will make all truckers, including myself, very careful about how we load these rigs. With fines this high, no trucker is going to take a chance of overloading. If we leave it as it is now, the truckers look at the fines as a cost of doing business.

This bill triples the penalties for persons who violate the weight, length or width limits for trucks, buses or other vehicles. The range of fines is increased from a minimum of \$15 and a maximum of \$50 to \$45 and \$150 respectively. Graduated additional penalties for violations of excess weight are increased in 12 steps from \$15 to \$45 for 2,000 pounds overweight up to an increase from \$1,000 to \$3,000 for an overweight violation of 25,000 pounds. None of the above fines may be suspended, and fines collected will be shared equally by the state highway and county road funds. This bill provides jurisdiction over these offenses for the justice courts.

B. G. Havdahl, representing the Montana Motor Carrier Association, Helena, told the committee they are in support of this bill. Our policy has always been to enforce the weight laws to insure against illegal trucks, because of their impact on our highway system. He presented a chart for the committee to study, and explained it to them. He referred to a report by the Transportation Advisory Committee. The Montana Motor Carriers support their

HIGHWAYS AND TRANSPORTATION COMMITTEE

January 18, 1983

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recommendations. The bill before you now, is one of those recommendations, to help insure adequate enforcement of illegally loaded trucks. We support this bill completely.

Keith L. Olson, P. O. Box 1716, Kalispell, representing the Montana Logging Association, told the committee their members would be affected by this legislation, but they do support it.

Donald R. Copley, Highway Department, told the committee the Department is in support of SB106.

There were no other proponents or opponents to SB106. Senator Etchart asked the committee if they had questions.

Senator Tveit asked Ben Havdahl if you have to have a permit for 105,000 pounds with axle.

Ben Havdahl told him yes, you do.

Senator Stimatz asked Mr. Havdahl if the new five cents gas tax would change this.

Ben Havdahl told Senator Stimatz and the committee the new five cent gas tax would make 80,000 pound the same throughout the United States on the Interstate System. Currently, some States have 73,000 pound. No state can restrict the length of a semi-trailer. This is strictly on the interstate. Other changes would allow for a mandatory 102" width. It would provide for additional 6" of width.

Senator Elliott asked if grain trucks have self weighing devices.

Ben Havdahl, said yes, they are available. They cost about \$6,000 for one scale. Most log trucks have these scales because of the problems they have in weighing the logs where they are cut. It is an electronic scale built into the truck.

Senator Elliott asked Mr. Havdahl why a trucker would not get a permit.

Ben Havdahl told the committee it is a rare thing and does not happen often. If he did this, he would be subject to a \$3,000 fine under this legislation.

Senator Blaylock passed out a proposed amendment for the committee to look at. (See Exhibit No. 1) I think this bill will be a deterrent. The margin of profit is not that great. I don't believe they will take a chance of getting this high of a fine.

Senator Shaw asked if there are any exceptions.

Senator Blaylock told him there is the 7% formula. You can pick up to 3,000 pounds of ice. This can be 7% of the total weight.

Ben Havdahl said many of the commodities are agricultural and livestock. The provision says that if you are within 7% of the GVW with that truck, you may be up to 5,000 pounds over the 30,000 pound maximum. You can obtain a permit for \$10. This permit will allow the trucker to go someplace to get legal, or on to their destination, if within a reasonable distance. Technically, they cannot move once they are fined.

Senator Shaw said, in other words you can circumvent the law by buying a \$10 permit, and if the truck is over the 7%, then they can fine you.

Don Copley said, yes. If the vehicle exceeds the 7%, they are subject to a fine.

Senator Blaylock told the committee he has no problems with the amendment.

Gary Wicks, Department of Highways told the committee they are in support of the bill to increase the overweight vehicle fines. We will certainly receive more funds from this legislation, but the most important part of this bill is that it will protect our highway investment. We have no problem with the amendment.

M. Foster, Billings, Highway Commission member, said he is in favor of the increased fines as proposed by this bill.

Gary Wicks, told the committee they are changing the way the funds are distributed. What the bill does is put half in the Highway Fund and the other half in the County Road Fund.

Jim Beck, Staff Attorney, Department of Highways, told the committee that the jurisdiction of the Justice of Peace Court is limited. Large fines ended up in District Court, only to be reduced, so that they can be handled in Justice Court.

Gary Wicks, told the committee \$350,000 a year is collected from these fines. We have not budgeted on that basis.

Senator Elliott asked if there was a Fiscal Note on this Bill.

HIGHWAYS AND TRANSPORTATION COMMITTEE

January 18, 1983

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Don Copley, Department of Highways, said yes, there is a Fiscal Note.

Senator Etchart asked the Secretary to get copies of the Fiscal Note for Thursday, January 20th, meeting.

There being no further discussion, hearing on Senate Bill No. 106 was closed.

SENATE BILL NO. 10:

Gary Wicks, Director, Department of Highways, told the committee the department supports this bill strongly.

M. Foster, Billings, Highway Commission Member, told the committee he supports this bill. There is no resistance within the Commission regarding this legislation.

Senator Shaw asked Mr. Wicks about their authority. They had the authority at one time, and now through this bill, we are giving it back to them.

Gary Wicks replied yes. At one time they had a lot broader authority than Senate Bill No. 10.

Senator Shaw asked when this authority was taken away from the Commission.

Senator Stimatz told him it was taken away in 1972 and 1974.

Senator Shaw asked if through the reorganization, they did not think the Commission should have this much authority.

Senator Stimatz replied yes.

There being no further discussion, the hearing on Senate Bill No. 10 was closed.

SENATE BILL NO. 91:

Gary Wicks, Department of Highways told the committee they get contracts on Federal Aid Highways, in urban areas, where the Highway Commission is not that directly involved. For example, a signal light, being done by a local government. All we are trying to do in SB91 is get the legal authority to let that local government let the contract.

M. Foster, Billings, Highway Commission Member, told the committee he supports the bill. It is a good housekeeping measure.

ROLL CALL

SENATE HIGHWAYS AND TRANSPORTATION COMMITTEE

48 ~~47~~th LEGISLATIVE SESSION -- ~~1982~~¹⁹⁸³

Date 1/18/83

NAME	PRESENT	ABSENT	EXCUSED
Senator Mark Etchart, Chairman	✓		
Senator Hager, Vice Chairman	✓		
Senator Elliott	✓		
Senator Shaw	✓		
Senator Tveit	✓		
Senator Graham		✓	
Senator D. Manning	✓		
Senator Stimatz	✓ <i>late</i>		
Senator Daniels	✓		
Paul Verdon, Leg. Council	✓		
Carol Doyle Frasier, Secretary	✓		

1/18/83

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NAME:

BG HARDAHL

DATE:

ADDRESS:

Heber

PHONE:

REPRESENTING WHOM?

Mont. North American Assoc

APPEARING ON WHICH PROPOSAL:

SB104

DO YOU:

SUPPORT?

X

AMEND?

OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

WITNESS STATEMENT

NAME KEITH L. OLSON BILL No. SB 106
ADDRESS PO Box 1716 Kalispell DATE 18 Jan 83
WHOM DO YOU REPRESENT Montana Logging Assn.
SUPPORT ✓ OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

- ① ^{Final} Intent = compliance @ law
- ② Risk of assassination = support
- ③ Legislation involves give & take
- ④ ~~one~~ rises to "bite the bullet"

PROPOSED AMENDMENT TO SENATE BILL NO. 106

Page 3.

Following: line 6

Insert: "(4) The penalties in subsection (1) shall not apply where the operator has failed to secure a special permit as provided for in 61-10-107(3) so long as the vehicle or combination of vehicles would not be overweight with such a permit. The failure to obtain the special permit is punishable under 61-10-146, and the operator shall be required to purchase the permit. If the vehicle or combination of vehicles exceeds the weight limitations allowed by special permit and the operator has failed to obtain such a permit under 61-10-107(3), the penalties of subsection (1) shall apply to the weight exceeding 80,000 pounds."

Renumber: the subsequent section.

There being no further discussion, hearing on Senate Bill No. 212 was closed.

SENATE BILL NO. 55: Senator Hager reported that the bill has been handled in another bill that was introduced in the House, but wanted to check with Bill Romine about it first. He requested the bill sit in Committee until Thursday.

ACTION ON SENATE BILL NO. 212: Senator Elliott made the motion to amend Senate Bill No. 212 as follows:

1. Page 1, line 23.
Following: "before"
Strike: "June"
Insert: "March"

It was passed unanimously.

Senator Elliott made the motion that Senate Bill No. 212 DO PASS, as amended. The motion passed with all Senators voting aye except Senator Shaw, who voted no.

ACTION ON SENATE BILL NO. 106: Senator Etchart gave a brief summary on Senate Bill No. 106. He told the committee this bill triples the fines and also; on Page 3, line 5, states that no fine may be suspended. The trucking and logging industry supports the bill, but I think there are a lot of little independent truckers out there that would be put out of business by a \$3,000 fine.

Senator Shaw made the motion that Senate Bill No. 106, as amended, DO NOT PASS.

Senator Elliott made a substitute motion that the fines be doubled instead of tripled. The motion passed with all Senators present voting aye.

Senator Hager made the motion to strike on Page 3, lines 5 and 6. The motion carried with all Senators present voting aye.

Senator Elliott made the motion that Senate Bill No. 106 as amended DO PASS. The motion passed with the following Senators voting aye: Senator Hager, Senator Elliott, Senator Tveit, Senator D. Manning. Those Senator's voting no: Senator Etchart, Senator Shaw, and Senator Graham.

ROLL CALL

SENATE HIGHWAYS AND TRANSPORTATION COMMITTEE

48 ~~47~~th LEGISLATIVE SESSION -- ~~1982~~ 1983

Date 1/25/83

NAME	PRESENT	ABSENT	EXCUSED
Senator Mark Etchart, Chairman	✓		
Senator Hager, Vice Chairman	✓		
Senator Elliott	✓		
Senator Shaw	✓		
Senator Tveit	✓		
Senator Graham	<i>late</i>		
Senator D. Manning	✓		
Senator Stimatz			
Senator Daniels			
Paul Verdon, Leg. Council	✓		
Carol Doyle Frasier, Secretary	✓		

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

*Elliott's
Amendment*

Date 1/25 1983 Bill No. SB 106 Time 1:38

NAME	YES	NO
Senator Etchart, Chairman	✓	
Senator Hager, Vice Chairman	✓	
Senator Elliott	✓	
Senator Shaw	✓	
Senator Tveit	✓	
Senator Graham	✓	
Senator D. Manning	✓	
Senator Stimatz		
Senator Daniels		

Carol Doyle Frasier
Carol Doyle Frasier
Secretary

Mark Etchart
Senator Mark Etchart
Chairman

Motion: *Senator Elliott made a substitute motion that we
change the amount of fines, to double them, instead
of triple them. Motion carried.*

(include enough information on motion--put with yellow copy of committee report.)

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Hager amendment

Date 1/25 1983 Bill No. SB106 Time 1:35

NAME	YES	NO
Senator Etchart, Chairman	✓	
Senator Hager, Vice Chairman	✓	
Senator Elliott	✓	
Senator Shaw	✓	
Senator Tveit		✓
Senator Graham	✓	
Senator D. Manning	✓	
Senator Stimatz		
Senator Daniels		

Carol Doyle Frasier
Carol Doyle Frasier
Secretary

Mark Etchart
Senator Mark Etchart
Chairman

Motion: Strike Lines 5 & 6 on page 3
Senator Hager made the motion to strike Lines 5 and 6 on
page 3. motion carried.

(include enough information on motion--put with yellow copy of committee report.)

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date 1/25/83 1983 Bill No. SB106 as amended Time 1:40

NAME	YES	NO
Senator Etchart, Chairman		✓
Senator Hager, Vice Chairman	✓	
Senator Elliott	✓	
Senator Shaw		✓
Senator Tveit	✓	
Senator Graham		✓
Senator D. Manning	✓	
Senator Stimatz	absent	
Senator Daniels	absent	

Carol Doyle Frasier
Carol Doyle Frasier
Secretary

Mark Etchart
Senator Mark Etchart
Chairman

Motion: Do Pass as ✓

Senator Elliott made the motion that SB106 as
amended Do Pass. Roll call vote taken.

Motion Passed.

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

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January 25 19 83

MR. **PRESIDENT:**We, your committee on **HIGHWAYS AND TRANSPORTATION**having had under consideration **SENATE BILL** Bill No. **106**Respectfully report as follows: That **SENATE** Bill No. **106**
introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Following: "VEHICLES;" on line 6

Strike: Remainder of line 6 and line 7 through "SUSPENDED;"

2. Page 1, line 19.

Following: "\$15"

Strike: "\$45"

Insert: "\$30"

3. Page 1, line 19.

Following: "\$50"

Strike: "\$150"

Insert: "\$100"

CONTINUED ON PAGE 2

XXXXXX

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Senate Committee Highways and Transportation

Page 2

Senate Bill No. 106

4. Page 2, line 1.

Following: "~~\$15~~"

Strike: "\$45"

Insert: "\$30"

5. Page 2, line 3.

Following: "~~\$25~~"

Strike: "\$75"

Insert: "\$50"

6. Page 2, line 5.

Following: "~~\$35~~"

Strike: "\$105"

Insert: "\$70"

7. Page 2, line 7.

Following: "~~\$50~~"

Strike: "\$150"

Insert: "\$100"

8. Page 2, line 9.

Following: "~~\$80~~"

Strike: "\$240"

Insert: "\$160"

9. Page 2, line 11.

Following: "~~\$110~~"

Strike: "\$330"

Insert: "\$220"

10. Page 2, line 13.

Following: "~~\$150~~"

Strike: "\$450"

Insert: "\$300"

11. Page 2, line 15.

Following: "~~\$200~~"

Strike: "\$600"

Insert: "\$400"

12. Page 2, line 17.

Following: "~~\$250~~"

Strike: "\$750"

Insert: "\$500"

Continued on Page 3

January 25

19 83

Senate Committee Highways and Transportation

Page 3

Senate Bill No. 106

13. Page 2, line 19.

Following: "~~\$300~~"

Strike: "\$900"

Insert: "\$600"

14. Page 2, line 21.

Following: "~~\$500~~"

Strike: "\$1,500"

Insert: "\$1,000"

15. Page 2, line 23.

Following: "~~\$1,000~~"

Strike: "\$3,000"

Insert: "\$2,000"

16. Page 3, following line 4.

Strike: Lines 5 and 6 in their entirety.

17. Page 3.

Following: line 6

Insert: "(3) The penalties in subsection (1) do not apply to a operator who fails to secure a special permit as provided for in 61-10-107 (3) if the vehicle or combination of vehicles is not overweight with such a permit. The failure to obtain the special permit is punishable under 61-10-146, and the operator is required to purchase the permit. If the vehicle or combination of vehicles exceeds the weight limitations allowed by special permit and the operator fails to obtain a permit under 61-10-107(3), the penalties of subsection (1) apply to the weight exceeding 80,000 pounds."

And, as so amended,
DO PASS

SENATE BILL 106. SEN. CHET BLAYLOCK, District 35, Yellowstone County, testified as sponsor of the bill, which allows increased fines for overweight trucks, as requested by the Department of Highways. Sen. Blaylock asked the Committee to amend the bill by tripling fines and said 58% of Montana communities rely on highways for ingress and egress, adding it is necessary to protect the improvements made to the Montana highway system. He explained to the Committee, as a truck driver, it is fairly easy to ascertain weight on a truck and said it is necessary the burden be put on trucks to comply with weight standards, although he did not know how overweight damage was calculated. Sen. Blaylock said the bill is meant to stop abuse of Montana's highways adding, the fines are fair, as scheduled. He requested committee support of the bill.

PROPOSERS

MR. BEN HAVDAL, Montana Motor Carriers Association, said his organization supports the bill as it was originally introduced in the Senate, and told the Committee, motor carriers face unfair competition from illegally loaded trucks, which the proposed fine structure would hopefully deter.

MR. GARY WICKS, Director, Montana Department of Highways, told the Committee he supported the bill, since it would reduce overweight problems in the State. He said the Highway Transportation Council and the Governor's Council on Management also support the increase in fines to protect Montana's investment in its highways, adding with such enforcement, future construction dollars would be better spent. Mr. Wicks advised committee members there is still a 5% tolerance on overweight trucks by statute and urged committee support of the bill, because GVW fines have not been raised since 1961.

MR. KEITH OLSON, Executive Director, Montana Logging Association, stated his support of the bill and said many wood contractors won't hire a truck unless it is agreed in the contract that the truck will not be overloaded.

OPPOSERS

There were no opponents of the bill.

IN CLOSING, Sen. Blaylock told the Committee he agreed with statements made by Mr. Havdal and thanked those supporting the bill.

Highways Committee Minutes

March 1, 1983

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The motion made by Rep. Stobie was approved with eight members voting aye, six voting no, and Representatives Brown, Harp and Hemstad absent.

The meeting was adjourned at 1:28pm.


REP. HUBERT ABRAMS, CHAIRMAN

Joann T. Gibson, Secretary



QUESTIONS

REP. LYBECK asked Mr. Olson if his organization supported the increase in fines. Mr. Olson replied he was in agreement with Mr. Havdal, adding his organization supported the bill in the Senate.

The hearing was closed on House Bill 815.

EXECUTIVE SESSION

HOUSE BILL 815. REP. ZABROCKI moved the bill Do Pass. Rep. O'Connell seconded the motion, which was given unanimous committee approval.

SENATE BILL 106. REP. STOBIE moved the bill Be Concurred In and then moved fines be increased by 50% with no fines for trucks more than 10,000 pounds overweight.

REP. KEYSER said the fines in Section 1 of the bill are not unreasonable.

REP. HAMMOND told committee members the person responsible for the damage should pay for it.

REP. SHONTZ advised the Committee of the 20% overweight allowance for agricultural vehicles.

REP. KOEHNKE said he would go along with the bill in its present form, but he could not agree to tripling fines.

REP. LYBECK made a substitute motion to amend the bill to its original proposal of a \$300 increase in fines. Rep. O'Connell seconded the motion.

REP. SOLBERG said he opposed the amendment as it would put small trucks out of business, adding he favored the bill as it is written.

REP. STOBIE told committee members he would oppose the motion, as it would kill the bill on the House floor and the fines would be too stiff. He made a substitute motion for all motions pending that the bill Be Concurred In. Rep. Solberg seconded the motion.

REP. SHONTZ moved the bill be tabled. The motion failed with eight members voting no and six voting aye. Representatives Brown, Harp and Hemstad were absent.

STANDING COMMITTEE REPORT

MARCH 1 19 83

MR. SPEAKER:

We, your committee on HIGHWAYS AND TRANSPORTATION

having had under consideration SENATE Bill No. 106

THIRD reading copy (BLUE)
color

A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE
PENALTIES FOR OVERWEIGHT VEHICLES; ~~TO PROVIDE THAT THE~~
~~IMPOSITION OF PENALTIES MAY NOT BE SUSPENDED;~~ TO REVISE THE
DISPOSITION OF FINES AND FORFEITURES COLLECTED FOR
VIOLATIONS OF THE VEHICLE SIZE, WEIGHT, AND LOAD LAWS; AND
TO PROVIDE FOR JURISDICTION OF SUCH LAWS IN JUSTICES'
COURTS: AMENDING SECTIONS 31-10-303, 61-10-245, AND
61-10-148, MCA."

Respectfully report as follows: That SENATE Bill No. 106

BE CONCURRED IN
~~DO PASS~~

REP. HUBERT ABRAMS

Chairman.

VISITOR'S REGISTER

HOUSE Highways & Transp COMMITTEE

BILL SB 106

DATE 3-1-83

SPONSOR Blaylock

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

WITNESS STATEMENT

Name Ben Havdahl Committee On Highways
Address Helena Date 3/1/83
Representing MT. Motor Carriers Assoc Support x
Bill No. SB 106 Oppose _____
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: The policy of Montana Motor Carriers Assoc. is for
1. Compliance with present weight allowances for trucks. MMCA
opposes illegally loaded overweight trucks. We Support
any effort to curb illegal overweight and support 2 level
2. Of overweight fines that would effectively deter
illegal loads.
MMCA supported SB106 as originally introduced increasing
3. overweight fines 300%. We did not object to the Senate
amending the fine schedule to a 200% increase. If
a 200% increase is adequate to deter illegal loads we support
4. the level.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

NAME:

KEITH L. OLSON

DATE:

3-1-83

ADDRESS:

HALESPELL

PHONE:

755-3185

REPRESENTING WHOM?

Montana Logging Assn.

APPEARING ON WHICH PROPOSAL:

SB 106

DO YOU:

SUPPORT?

X

AMEND?

OPPOSE?

COMMENTS:

Bite bullet

Previously stood before committee

- requested your support to increase productivity of trucks to offset

SOME OF THE

dramatic increases in operating expense

Today, ^{support} ~~excess~~ ^{support} ~~you~~ need for disincentives to overload

WE HAVE EXPRESSED

Concerns about interpretation of revenue bill

However, our members not consistent violators and many ~~about~~ woods

processors will not pay for volume hauled in excess of legal capacity

Thus, urge your support for concept of this legislation

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

HOUSE HIGHWAYS AND TRANSPORTATION

BILL SUMMARIES

Tuesday, March 1, 1983

HB 815 - authorizes the Department of Commerce to study the feasibility and desirability of purchasing abandoned railroad rights-of-way and to submit a plan and cost estimate to the 49th Legislature. The bill appropriates \$78,500 for the study and plan preparation.

SB 91 - allows the Highway Commission to delegate its authority to award contracts to the Highway Department or to a unit of local government.

SB 106 - doubles the current fines for overweight vehicles. The bill provides that fines and forfeited bonds will be distributed to the highway earmarked revenue fund and the county road fund. Jurisdiction of overweight violations is given to justices' courts.

SB 122 - exempts from Title 69, Chapter 12, the regulation of motor carriers, the transportation of property as part of a continuous movement, where part of the transportation is provided by an air carrier.